

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

NOTICE OF CONSULTATION

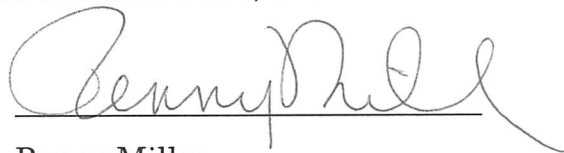
Supreme Court No. 20190392

**In the Matter of the Vacancy in Judgeship No. 5,  
with Chambers in Fargo, East Central Judicial District**

[¶1] On December 6, 2019, the Honorable Frank L. Racek, Judge of the District Court, with chambers in Fargo in the East Central Judicial District, notified this Court of his intention not to seek reelection in 2020. Under N.D.C.C. § 27-05-02.1(2) a vacancy in the office of district judge occurs if a judge declares the intention not to seek reelection or if a judge fails to timely file a petition for candidacy with the secretary of state under N.D.C.C. § 16.1-11-06.

[¶2] **ORDERED**, the Supreme Court will undertake a written consultation with the attorneys and judges of the East Central Judicial District on these matters under N.D. Sup. Ct. Admin. R. 7.2. Any judge, lawyer or member of the public wishing to comment on the vacancies may do so by e-mail to Penny Miller, Clerk of the Supreme Court, at [supclerkofcourt@ndcourts.gov](mailto:supclerkofcourt@ndcourts.gov), or in writing addressed to 600 E. Boulevard Ave., Bismarck, ND 58505-0530, **no later than January 10, 2020**. It is expected the Supreme Court will receive a report discussing the factors under N.D. Sup. Ct. Admin. R. 7.2, Section 4, for each of the counties in the East Central Judicial District from the Court Administrator for Unit 2.

[¶3] Entered the 11th day of December, 2019, at the direction of the Honorable Gerald W. VandeWalle, Chief Justice; and the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, the Honorable Jerod E. Tufte, and the Honorable Jon J. Jensen, Justices.



Penny Miller  
Clerk  
North Dakota Supreme Court

